

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Demetreus Jamar Biggett

Docket No. 7:07-CR-93-1D

Petition for Action on Supervised Release

COMES NOW J. Brock Knight, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Demetreus Jamar Biggett, who, upon an earlier plea of guilty to 21 U.S.C. § 841(A)(1), Possession With the Intent to Distribute More than 50 Grams of Cocaine Base (Crack), was sentenced by the Honorable James C. Dever, III, Chief U.S. District Judge, on June 11, 2008, to the custody of the Bureau of Prisons for a term of 54 months. It was further ordered that upon release from imprisonment, the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall participate in a program of mental health treatment, as directed by the probation office.
3. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
4. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Demetreus Jamar Biggett was released from custody on July 2, 2010, at which time the term of supervised release commenced. Since his release, Biggett has been reported to the court on three occasions for violations, namely on August 8, 2011, for the use of drugs (PCP), on February 6, 2013, for a misdemeanor charge of Trespassing, which was subsequently dismissed by the state court, and on November 15, 2013, for the use of drugs (marijuana).

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

A urine specimen collected from the defendant on January 26, 2015, was positive for marijuana. When this officer confronted Biggett about illicit drug use, he admitted that he used marijuana on January 9, 2015. As a sanction for this violation conduct, service of 3 days in jail is recommended. The defendant has completed over 55 months of the original 60 months of supervision imposed, and is making it a personal goal to complete supervision successfully in July 2015.

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The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 3 consecutive days. He shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ J. Brock Knight
J. Brock Knight
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-679-2030
Executed On: February 2, 2015

ORDER OF COURT

Considered and ordered this 4 day of February, 2015, and ordered filed and made a part of the records in the above case.

James C. Dever III
James C. Dever III
Chief U.S. District Judge